IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 20182 of 2007(C)

PETITIONER:

N.P.RJANI, D/O.N.P.CHANDER,
AGED 52 YEARS, HEADMISTRESS (UNDER SUSPENSION),
A.M.L.P. SCHOOL, THALIKULANGARA, MANKAVE,
KOZHIKODE- 673 007.

BY ADV. SMT.LATHA PRABHAKARAN
SRI.K.M.JAMALUDHEEN

RESPONDENTS:

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1. THE STATE OF KERALA REPRESENTED BY
SECRETARY TO GOVERNMENT, GENERAL EDUCATION
DEPARTMENT, SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTION,
THIRUVANANTHAPURAM.

3. THE ASSISTANT EDUCATIONAL OFFICER,
KOZHIKODE CITY, KOZHIKODE.

4. THE MANAGER, A.L.P.SCHOOL,
THALIKULANGARA, MANKAVU P.O., KOZHIKODE- 673 007.

* R5. DEPUTY DIRECTOR OF EDUCATION
KOZHIKODE

ADDL. RESPONDENT NO.5 IS IMPLEADED AS PER ORDER DT. 6.7.07 IN I.A. NO. 9051/07

*R6. DISTRICT EDUCATIONAL OFFICER.
KOZHIKODE

ADDL. R6 IS IMPLEADED AS PER ORDER DT. 22.8.07 IN I.A. NO. 11538/07

BY ADV. SRI.J.JULIAN XAVIER
SRI.FIROZ K.ROBIN
GOVERNMENT PLEADER SMT. SUDHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO 20182/07

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1.	COPY OF THE STAFF FIXATION OR NO.D.Dis.1458/96 DT. 15.7.06 ISSUED BY THE 3RD RESPONDENT
EXT.P2.	COPY OF THE FINDING OF THE SUPER CHECK CELL DT. 17.4.07
EXT.P3.	COPY OF THE PETITION SUBMITTED BEFORE 2ND RESPONDENT DT. 10.5.07
EXT.P4.	COPY OF THE ORDER OF DDE DT. 28.3.07
EXT.P5.	COPY OF THE ORDER DT. 29.3.07 OF 3RD RESPONDENT
EXT.P6.	COPY OF THE PETITION SUBMITTED TO 2ND RESPONDENT DT. 28.4.07
EXT.P7.	COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN W.P.(C) 17632/2007 DT. 8.6.07
EXT.P8.	COPY OF PROMOTION LIST SUBMITTED BEFORE 3RD RESPONDENT BY THE PETITIONER
EXT.P9.	COPY OF THE SHOW CAUSE NOTICE DT. 18.6.07 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER
EXT.P10.	COPY OF EXPLANATION SUBMITTED BEFORE 3RD RESPONDENT BY THE PETITIONER DT. 19.6.07
EXT.P11.	COPY OF THE ORDER OF SUSPENSION DT. 26.6.07 ISSUED BY 3RD RESPONDENT TO THE PETITIONER
EXT.P12.	COPY OF THE APPEAL SUBMITTED BEFORE THE D.E.O. KOZHIKODE DT. 12.7.07

/TRUE COPY/

PA TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NO. 20182 OF 2007

Dated this the 22nd day of August, 2007

J U D G M E N T

Since Ext.P11 order of suspension has now been challenged by the petitioner in a statutory appeal, I do not deem it necessary to refer to the various contentions raised by her in this writ petition. In my view the appellate authority has to take a decision in the matter in accordance with law.

Therefore the writ petition is disposed of with a direction to the additional respondent No.6 to consider and pass orders on Ext.P12 strictly on its merit and in accordance with law, as expeditiously as possible, at any rate, within one month from the date of receipt of a copy of this judgment. Needless to mention, petitioner and the manager of the school shall be afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a certified copy of this judgment along with a copy of the writ petition before the additional respondent No.6 for compliance.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007